

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHANE EDWARD JOHNSON and
NICOLE JO BRENT,

Defendants.

CR 21–94–BLG–DLC

ORDER

Before the Court is the United States’ Unopposed Motion for Preliminary Order of Forfeiture. (Doc. 235.) Defendant Nicole Jo Brent has been adjudged guilty of possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, as charged in Count 2 of the Indictment. (Doc. 90.) Defendant Shane Edward Johnson was found guilty at trial of conspiracy to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), 851, 846 (Count 1), possession with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B), 851 and 18 U.S.C. § 2 (Count 2), and prohibited person in possession of ammunition, in violation of 18 U.S.C. § 922(g)(1) (Count 3), as set forth in the Superseding Indictment. (Doc. 207.) As such, there is a factual basis and cause to issue an order of forfeiture, pursuant to 21 U.S.C. § 853(a)(1), (2).

Accordingly, IT IS ORDERED the motion (Doc. 235) is GRANTED.

IT IS FURTHER ORDERED that Defendants' interest in the following property is forfeited to the United States in accordance with 21 U.S.C. § 853(a)(1), (2):

- \$1,000.00 in U.S. Currency;
- \$438.00 in U.S. Currency;
- Approximately 22 rounds of 9mm ammo and two magazines; and
- Two boxes of 9mm ammo - approximately 90 rounds.

IT IS FURTHER ORDERED that the United States and/or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law.

IT IS FURTHER ORDERED that the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed.

IT IS FURTHER ORDERED that upon adjudication of all third-party interests, if any, the Court will enter a final order of forfeiture, pursuant to 21

U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 29th day of November, 2023.



Dana L. Christensen, District Judge
United States District Court